

CASREF, TERMED

**U.S. District Court Northern District of Indiana [LIVE]
USDC Northern Indiana (South Bend)
CIVIL DOCKET FOR CASE #: 3:02-cv-00826-RLM-CAN**

BDX Inc, et al v. US DOJ
Assigned to: Judge Robert L Miller, Jr
Referred to: Magistrate Judge Christopher A Nuechterlein
Demand: \$0
Case in other court: Archive Info (Vols 1-4 & sealed doc),
021-08-00011 5 OF 14 858108FAN
Cause: 05:552 Freedom of Information Act

Date Filed: 11/18/2002
Date Terminated: 01/23/2006
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**BDX Inc**

represented by **Bradley S LeBoeuf**
7 West Bowery St Suite 604
Akron, OH 44308
330-762-9191
Fax: 330-762-4244
Email: bleboeuf@dailyandhaskins.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff**Eugene A LeBoeuf**

represented by **Bradley S LeBoeuf**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**United States Department of Justice**

represented by **Anthony J Ciccone**
Executive Office for US Trustees
US Department of Justice
20 Massachusetts Avenue NW Suite 8000
Washington, DC 20530
202-307-0003
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Clifford D Johnson – AUSA
US Attorney's Office – SB/IN
M01 Federal Building
204 S Main Street
South Bend, IN 46601-2191
574-236-8287
Fax: 574-236-8155
Email: clifford.johnson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/18/2002	1	COMPLAINT (Number of Summon(es) issued: 5) Amt. of filing fee: 150.00 Receipt #: 3310533 (smp) (Entered: 11/19/2002)
11/18/2002	2	ATTORNEY APPEARANCE for plaintiff BDX Inc, plaintiff Eugene A LeBoeuf by Eugene A LeBoeuf (smp) (Entered: 11/19/2002)

11/18/2002	3	CORPORATE DISCLOSURE pursuant to LR 8.2 by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf (smp) (Entered: 11/19/2002)
11/18/2002	4	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for leave to file a Vaughn index (smp) (Entered: 11/19/2002)
11/18/2002	5	MEMORANDUM by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf in support of motion for leave to file a Vaughn index [4-1] (smp) (Entered: 11/19/2002)
11/27/2002	6	RETURN OF SERVICE executed upon defendant US DOJ (Office of US Trustee) on 11/21/02 (smp) (Entered: 12/02/2002)
11/27/2002	7	RETURN OF SERVICE executed upon defendant US DOJ (US Attorney) on 11/21/02 (smp) (Entered: 12/02/2002)
11/27/2002	8	RETURN OF SERVICE executed upon defendant US DOJ on/about 11/21/02 (no date stamped on green card) (smp) (Entered: 12/02/2002)
11/29/2002	9	CERTIFICATE OF SERVICE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf of complaint, motion for Vaughn Index, memorandum in support, corporate disclosure statement and entry of appearance served via US Mail on US DOJ on 11/19/02 (smp) (Entered: 12/02/2002)
12/11/2002	10	RETURN OF SERVICE executed upon defendant US DOJ (General Counsel) on 12/9/02 (smp) (Entered: 12/12/2002)
12/11/2002	11	RETURN OF SERVICE executed upon defendant US DOJ (Attorney General) on 12/9/02 (smp) (Entered: 12/12/2002)
01/17/2003	12	ATTORNEY APPEARANCE for defendant US DOJ by Clifford D Johnson (smp) (Entered: 01/17/2003)
01/17/2003	13	MOTION by defendant US DOJ to extend time to/incl 1/24/03 to answer (smp) (Entered: 01/17/2003)
01/17/2003	14	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for clerk to enter default as to US DOJ (smp) (Entered: 01/17/2003)
01/17/2003	15	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for default judgment against US DOJ (smp) (Entered: 01/17/2003)
01/17/2003	16	MEMORANDUM by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf in support of motion for default judgment against US DOJ [15-1] (smp) (Entered: 01/17/2003)
01/17/2003	17	CERTIFICATE OF SERVICE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf of praecipe request for entry of default, motion for default judgment & memorandum in support served on USA, Attorney General, DOJ, Office of US Trustee on 1/16/03 (smp) (Entered: 01/17/2003)
01/17/2003	18	ANSWER by defendant US DOJ to complaint [1-1] (smp) (Entered: 01/21/2003)
01/21/2003	19	ORDER OF REFERRAL and FOR DISCOVERY PLAN by Judge Robert L. Miller Jr Case referred to Mag J Christopher A. Nuechterlein for disposition of discovery and other non-dispositive matters , and ; joint discovery plan ddl 3/14/03 Number of pages: 5 (cc: all counsel) (smp) (Entered: 01/21/2003)
01/22/2003	20	ORDER by Judge Robert L. Miller Jr denying motion for default judgment against US DOJ [15-1], denying motion for clerk to enter default as to US DOJ [14-1], granting motion to extend time to/incl 1/24/03 to answer [13-1], Court orders the government to respond to the pending motion for a Vaughn index by 2/6/03 [4-1] Number of pages: 1 (cc: all counsel) (smp) (Entered: 01/22/2003)
01/24/2003	21	ORDER by Mag J Christopher A. Nuechterlein ; Rule 16(b) Pretrial conference 2:30 PM (EST) 3/24/03 before Mag J Christopher A. Nuechterlein Number of pages: 1 (cc: all counsel) (smp) (Entered: 01/24/2003)
01/24/2003	22	MOTION by defendant US DOJ to extend time to 2/24/03 to respond to pending Vaughn motion (smp) (Entered: 01/27/2003)

01/29/2003	23	RESPONSE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to motion to extend time to 2/24/03 to respond to pending Vaughn motion [22-1] (smp) (Entered: 01/30/2003)
01/30/2003	24	ORDER by Judge Robert L. Miller Jr granting motion to extend time to 2/24/03 to respond to pending Vaughn motion [22-1] Number of pages: 1 (cc: all counsel) (smp) (Entered: 01/31/2003)
01/31/2003	25	ATTORNEY APPEARANCE for defendant US DOJ by Anthony J Ciccone (smp) (Entered: 01/31/2003)
02/21/2003	26	MOTION by defendant US DOJ for summary judgment (smp) (Entered: 02/21/2003)
02/21/2003	27	AFFIDAVIT of Nancy J Gargula to motion for summary judgment [26-1] (smp) (Entered: 02/21/2003)
02/21/2003	28	AFFIDAVIT of LaDonna S Ralph to motion for summary judgment [26-1] (smp) (Entered: 02/21/2003)
02/21/2003	29	MEMORANDUM by defendant US DOJ in support of motion for summary judgment [26-1] (smp) (Entered: 02/21/2003)
02/21/2003	30	RESPONSE by defendant US DOJ to motion for leave to file a Vaughn index [4-1] (smp) (Entered: 02/21/2003)
03/05/2003	31	REPLY by plaintiff BDX Inc to response/opposition to motion for leave to file a Vaughn index [4-1] (smp) (Entered: 03/06/2003)
03/18/2003	32	PROPOSED Discovery plan under FRCP 26 by US DOJ. (smp) (Entered: 03/19/2003)
03/19/2003	33	RESPONSE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to motion for summary judgment [26-1] (smp) (Entered: 03/20/2003)
03/21/2003	34	COMMENTS ON PLAINTIFF'S PROPOSED DISCOVERY PLAN by defendant USDJ (sdf) (Entered: 03/24/2003)
03/21/2003	35	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for leave to file proposed discovery plan (sdf) (Entered: 03/24/2003)
03/21/2003		RECEIPT of plaintiffs' proposed discovery plan (sdf) (Entered: 03/24/2003)
03/21/2003	36	ORDER by Mag Judge Christopher A. Nuechterlein: The court will consider the defendant's "Department of Justice's Discovery Plan" filed as of 3/18/03 as a motion to continue the Rule 16(b) conference which is currently set for 3/24/03; the court now continues that conference to a time following the court's ruling on the defendant's Motion for Summary Judgment [32-1] Number of pages: 1 (cc: all counsel) (sdf) (Entered: 03/24/2003)
03/27/2003	37	MOTION by defendant US DOJ to extend to/incl 4/4/03 to file its reply in support of motion for summary judgment (smp) (Entered: 03/28/2003)
03/31/2003	38	ORDER by Chief Judge Robert L. Miller Jr granting motion to extend to/incl 4/4/03 to file its reply in support of motion for summary judgment [37-1] Number of pages: 1 (cc: all counsel) (smp) (Entered: 03/31/2003)
04/03/2003	39	REPLY by defendant US DOJ to response/opposition to motion for summary judgment [26-1] (smp) (Entered: 04/04/2003)
05/30/2003	40	PROPOSED Discovery plan under FRCP 26 by plaintiffs (slm) (Entered: 05/30/2003)
06/10/2003	41	MEMORANDUM AND ORDER: by Chief Judge Robert L. Miller Jr denying motion for summary judgment [26-1], denying motion for leave to file a Vaughn index [4-1] w/leave to both sides to renew these requests at an appropriate time Number of pages: 17 (cc: all counsel) (smp) (Entered: 06/11/2003)
06/12/2003	42	ORDER SCHEDULING RULE 16(b) CONFERENCE by Mag Judge Christopher A. Nuechterlein ;Rule 16(b) conference 4:00 PM (EST) 7/11/03 before Mag Judge

		Christopher A. Nuechterlein Number of pages: 1 (cc: all counsel) (smp) (Entered: 06/13/2003)
07/02/2003	43	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for praecipe/request that a court reporter be present &prepare the transcript of the proceedings scheduled by 7/11/03 before the magistrate (rmn) (Entered: 07/03/2003)
07/03/2003	44	JOINT PROPOSED Discovery plan under FRCP 26 by parties. (jjj) (Entered: 07/07/2003)
07/14/2003	45	SCHEDULING ORDER AND MEMORANDUM OF STATUS CONFERENCE by Mag Judge Christopher A. Nuechterlein Rule 16(b) status conference held 7/11/03 , ; Exchange of mandatory disclosures ddl set for 8/8/03; Discovery ddl set for 10/10/03; amend to pleadings set for 9/5/03; fully-briefed dispositive motion ddl set for 1/15/04 ; plaintiffs to file and serve witness exhibit and deposition excerpt lists by 30 days prior to trial; objections by 14 days prior to trial Number of pages: 6 (cc: all counsel) (smp) (Entered: 07/15/2003)
07/21/2003	46	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to compel US DOJ to produce criminal referral data as sought in plaintiff's FOIA request and Complaint (smp) (Entered: 07/22/2003)
07/21/2003	47	MEMORANDUM by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf in support of motion to compel US DOJ to produce criminal referral data as sought in plaintiff's FOIA request and Complaint [46-1] (smp) (Entered: 07/22/2003)
07/21/2003	48	CERTIFICATION of compliance with LR 37.1 by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf (smp) (Entered: 07/22/2003)
07/21/2003	49	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for oral argument on plaintiffs' motion to compel (smp) (Entered: 07/22/2003)
08/01/2003	50	RENEWED MOTION by defendant US DOJ for summary judgment (jjj) (Entered: 08/04/2003)
08/01/2003	51	STATEMENT OF MATERIAL FACTS by defendant US DOJ (jjj) (Entered: 08/04/2003)
08/01/2003	52	MEMORANDUM by defendant US DOJ in support of renewed motion for summary judgment [50-1] (jjj) (Entered: 08/04/2003)
08/01/2003	53	SUPPLEMENT by defendant US DOJ of Nancy J Gargula affidavit [27-1] (jjj) (Entered: 08/04/2003)
08/01/2003	54	AFFIDAVIT of Alexander L Edgar (jjj) (Entered: 08/04/2003)
08/01/2003	55	AFFIDAVIT of William W Andersen Jr (jjj) (Entered: 08/04/2003)
08/04/2003	57	RULE 26(a) INITIAL DISCLOSURES by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf (jjj) (Entered: 08/06/2003)
08/05/2003	56	RESPONSE IN OPPOSITION by defendant US DOJ to motion to compel US DOJ to produce criminal referral data as sought in plaintiff's FOIA request and Complaint [46-1] (jjj) (Entered: 08/06/2003)
08/07/2003	58	NOTICE before Chief Judge Robert L. Miller Jr: scheduling conference set 1:00 9/18/03 before Chief Judge Robert L. Miller Jr to select a trial date (cc: all counsel) (arl) (Entered: 08/07/2003)
08/14/2003	59	ORDER by Mag Judge Christopher A. Nuechterlein denying AS MOOT motion for praecipe/request that a court reporter be present &prepare the transcript of the proceedings scheduled by 7/11/03 before the magistrate [43-1] Number of pages: 1 (cc: all counsel) (smp) (Entered: 08/15/2003)
08/14/2003	60	ORDER by Mag Judge Christopher A. Nuechterlein denying AS MOOT motion for oral argument on plaintiffs' motion to compel [49-1], denying motion to compel US DOJ to produce criminal referral data as sought in plaintiff's FOIA request and Complaint [46-1] Number of pages: 4 (cc: all counsel) (smp) (Entered: 08/15/2003)

08/18/2003	61	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to extend time for 30 days after discovery cut-off date of 10/10/03 to file response to renewed motion for summary judgment (smp) (Entered: 08/19/2003)
08/18/2003	62	STATEMENT "AFFIDAVIT" OF BRADLEY S LE BOEUF by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf in support of plaintiffs' motion for extension of time [61-1] (smp) (Entered: 08/19/2003)
08/18/2003	63	CERTIFICATE OF SERVICE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf of proposed order on Clifford Johnson on 8/14/03 (smp) (Entered: 08/19/2003)
08/18/2003	64	REPLY by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf re motion to compel [56-1], and defendants' response to motion to compel [46-1] (smp) (Entered: 08/19/2003)
08/19/2003	65	ORDER by Mag Judge Christopher A. Nuechterlein denying motion to extend time for 30 days after discovery cut-off date of 10/10/03 to file response to renewed motion for summary judgment [61-1], striking motion for summary judgment [50-1] and its supporting documents Number of pages: 4 (cc: all counsel) (smp) Modified on 08/20/2003 (Entered: 08/20/2003)
08/29/2003	66	MOTION by defendant US DOJ to extend time to/incl 10/2/03 to respond to discovery (smp) (Entered: 09/03/2003)
09/02/2003	67	ORDER by Mag Judge Christopher A. Nuechterlein granting motion to extend time to/incl 10/2/03 to respond to discovery [66-1] Number of pages: 1 (cc: all counsel) (smp) (Entered: 09/03/2003)
09/03/2003	68	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to amend the 7/14/03 scheduling order (rmn) (Entered: 09/04/2003)
09/03/2003	69	MEMORANDUM by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf in support of motion to amend the 7/14/03 scheduling order [68-1] (rmn) (Entered: 09/04/2003)
09/03/2003	70	CERTIFICATE OF SERVICE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf of proposed "Order" to amend scheduling order (rmn) (Entered: 09/04/2003)
09/04/2003	71	PRAECIPE to court reporter for transcript of proceedings for 9/18/03 at 1:00 PM: by plaintiffs (smp) (Entered: 09/06/2003)
09/12/2003	72	RESPONSE by defendant US DOJ in opposition to motion to amend the 7/14/03 scheduling order [68-1] (smp) (Entered: 09/12/2003)
09/18/2003	73	REPLY by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to response/opposition to motion to amend the 7/14/03 scheduling order [68-1] (smp) (Entered: 09/18/2003)
09/23/2003	74	MEMORANDUM AND ORDER: by Chief Judge Robert L. Miller Jr granting motion to amend the 7/14/03 scheduling order [68-1] regarding [45-2] and vacates the portion requiring summary judgment motions to be fully briefed before filing, Denies BDX's motion to amend scheduling order and stays all discovery in this case without prejudice to any subsequest motion filed pursuant to FRCP 56(f) ; Discovery ddl stayed Number of pages: 4 (cc: all counsel) (jjj) (Entered: 09/24/2003)
09/23/2003		TRANSCRIPT OF PROCEEDINGS filed no. of volumes: 1 for dates: 9/18/03 Court Reporter: Debra J Bonk (jjj) (Entered: 09/24/2003)
10/01/2003	75	RENEWED MOTION by defendant US DOJ for summary judgment (jjj) (Entered: 10/02/2003)
10/01/2003	76	MEMORANDUM by defendant US DOJ in support of defendant's motion for summary judgment [75-1] (jjj) (Entered: 10/02/2003)
10/01/2003	77	STATEMENT of material facts by defendant US DOJ in support of [75-1] (jjj) (Entered: 10/02/2003)
10/01/2003	78	MOTION by defendant US DOJ to substitute original affidavits (jjj) (Entered: 10/02/2003)

10/02/2003	79	ORDER by Mag Judge Christopher A. Nuechterlein granting motion to substitute original affidavits [78-1] Number of pages: 1 (cc: all counsel) (jjj) (Entered: 10/03/2003)
10/27/2003	80	MOTION by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf for oral argument on defendant's renewed motion for summary judgment (smp) (Entered: 10/29/2003)
10/27/2003	81	RESPONSE by plaintiff BDX Inc, plaintiff Eugene A LeBoeuf to motion for summary judgment [75-1] (smp) (Entered: 10/29/2003)
10/27/2003	82	AFFIDAVIT of Eugene A LeBoeuf to motion response [81-1] w/Exhbits A-G (smp) Modified on 10/29/2003 (Entered: 10/29/2003)
10/27/2003	83	AFFIDAVIT of Bradley S LeBoeuf to motion response [81-1] w/exhibits 1-6 (smp) (Entered: 10/29/2003)
10/31/2003	<u>84</u>	FRCP 56(f)MOTION for discovery and continuance on defendant's renewed motion for summary judgment by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp,) Modified on 11/12/2003 (smp,). (Entered: 11/03/2003)
10/31/2003	<u>85</u>	MEMORANDUM in Support of MOTION to Continue defendant's renewed motion for summary judgment and MOTION for Discovery filed by BDX Inc, Eugene A LeBoeuf. (smp,) (Entered: 11/03/2003)
10/31/2003	<u>86</u>	FIRST SUPPLEMENTAL AFFIDAVIT re 83 Affidavit by Eugene A LeBoeuf. (smp,) (Entered: 11/03/2003)
11/06/2003	<u>87</u>	ORDER denying 80 Motion for oral argument on the motion for summary judgment . Signed by Judge Allen Sharp on 11/6/03. (smp,) Modified on 11/13/2003 (smp,). (Entered: 11/07/2003)
11/06/2003	<u>88</u>	MOTION for Extension of Time to/including 11/26/03 to File reply memorandum in support of its renewed motion for summary judgment by Defendant United States Department of Justice. (smp,) (Entered: 11/10/2003)
11/17/2003	<u>89</u>	RESPONSE in Opposition re <u>84</u> MOTION to Continue MOTION for Discovery (<i>including certificate of service</i>) filed by United States Department of Justice. (Johnson, Clifford) (Entered: 11/17/2003)
11/17/2003	<u>90</u>	ORDER granting <u>88</u> defendant's Motion for Extension of Time to/including 11/26/03 to File reply memorandum in further support of its renewed motion for summary judgment . Signed by Judge Christopher A Nuechterlein on 11/17/03. (smp,) (Entered: 11/18/2003)
11/19/2003	<u>91</u>	MOTION for Partial Summary Judgment by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp,) (Entered: 11/21/2003)
11/19/2003	<u>92</u>	MEMORANDUM in Support of <u>91</u> MOTION for Partial Summary Judgment filed by BDX Inc, Eugene A LeBoeuf. (Attachments: # <u>1</u> Index# <u>2</u> Exhibit 1 (3) Exhibit 2 (4) Exhibit 3 (5) Exhibit 4 (6) Exhibit 5)(smp,) (Entered: 11/21/2003)
11/25/2003	<u>93</u>	REPLY to Response to Motion re 75 Motion for Summary Judgment filed by United States Department of Justice. (Johnson, Clifford) (Entered: 11/25/2003)
11/26/2003	<u>94</u>	REPLY to Response to <u>84</u> MOTION to Continue and for Discovery filed by BDX Inc, Eugene A LeBoeuf. (smp,) (Entered: 12/01/2003)
12/04/2003	<u>95</u>	ORDER denying <u>84</u> Motion to Continue, denying <u>84</u> Motion for Discovery . Signed by Judge Christopher A Nuechterlein on 12/4/03. (smp,) (Entered: 12/11/2003)
12/19/2003	<u>96</u>	RESPONSE in Opposition re <u>91</u> MOTION for Partial Summary Judgment (<i>with Affidavit of Service</i>) filed by United States Department of Justice. (Johnson, Clifford) (Entered: 12/19/2003)
12/19/2003	<u>97</u>	NOTICE by United States Department of Justice re <u>91</u> MOTION for Partial Summary Judgment, <u>92</u> Memorandum in Support (<i>Filing A Response to Statement of Material Facts and Defendant's Statement of Genuine Issues</i>) (Johnson, Clifford) (Entered: 12/19/2003)

12/30/2003	<u>98</u>	REPLY to Response to Motion re <u>91</u> MOTION for Partial Summary Judgment filed by BDX Inc. (smp) (Entered: 01/05/2004)
06/02/2004	<u>99</u>	MEMORANDUM AND ORDER granting in part and denying in part <u>75</u> Renewed MOTION for Summary Judgment filed by United States Department of Justice and granting in part and denying in part <u>91</u> MOTION for Partial Summary Judgment filed by plaintiffs, BDX INC. and Eugene LeBoeuf. Signed by Judge Robert L Miller Jr on 6/2/04. (ksc,) (Entered: 06/03/2004)
06/15/2004	<u>100</u>	BILL OF COSTS in the amount of \$2,325.29 by BDX Inc, Eugene A LeBoeuf. (smp) (Entered: 06/16/2004)
06/15/2004	<u>101</u>	MOTION for Attorney Fees and Costs by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp) (Entered: 06/16/2004)
06/15/2004	<u>102</u>	AFFIDAVIT in Support of <u>101</u> MOTION for Attorney Fees filed by BDX Inc, Eugene A LeBoeuf. (Attachments: # <u>1</u> Exhibit A – Pages 1–16# <u>2</u> Exhibit A– Pages 17–52)(smp) (Entered: 06/16/2004)
06/15/2004	<u>103</u>	MOTION for Reconsideration re <u>99</u> Memorandum & Order of 6/2/04 by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp) (Entered: 06/16/2004)
06/16/2004	<u>104</u>	NOTICE OF COSTS TO BE TAXED; pursuant to <u>100</u> Bill of Costs, costs will be taxed in the amount of \$2,325.29 on 6/28/04.(smp) (Entered: 06/16/2004)
06/16/2004	<u>105</u>	MOTION to Amend/Correct <u>99</u> Memorandum & Order filed by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp) (Entered: 06/17/2004)
06/23/2004	<u>106</u>	RESPONSE to Motion re <u>105</u> MOTION to Amend/Correct <u>99</u> Memorandum & Opinion,, Terminate Motions, filed by United States Department of Justice. (Johnson, Clifford) (Entered: 06/23/2004)
06/23/2004	<u>107</u>	MOTION to Vacate <u>104</u> Notice (Other) of Costs to be Taxed on June 28, 2004 by Defendant United States Department of Justice. (Johnson, Clifford) (Entered: 06/23/2004)
06/30/2004	<u>108</u>	RESPONSE in Opposition re <u>101</u> MOTION for Attorney Fees, <u>103</u> MOTION for Reconsideration re <u>99</u> Memorandum & Opinion,, Terminate Motions, filed by United States Department of Justice. (Johnson, Clifford) (Entered: 06/30/2004)
06/30/2004	<u>109</u>	MOTION Clarification of June 2, 2004 Order by Defendant United States Department of Justice. (Johnson, Clifford) (Entered: 06/30/2004)
07/09/2004	<u>110</u>	NOTICE of Change of Address of Bradley S LeBoeuf attorney for plaintiffs by Bradley S LeBoeuf (smp) (Entered: 07/12/2004)
03/18/2005	<u>111</u>	MEMORANDUM AND ORDER DENYING WITHOUT PREJUDICE <u>101</u> MOTION for Attorney Fees filed by BDX Inc., Eugene A LeBoeuf; GRANTING IN PART AND DENYING IN PART <u>103</u> MOTION for Reconsideration re <u>99</u> Memorandum & Order—granted insofar as the court clarifies that its refusal to award costs and attorney's fees was without prejudice to a renewed request upon the entry of final judgment; and denied in all other respects; VACATING <u>104</u> Court's Notice of costs to be taxed; GRANTING IN PART AND DENYING IN PART <u>109</u> MOTION for Clarification of June 2, 2004 Order filed by United States Department of Justice—granting insofar as the court permits further briefing on the issue of exemptions; denying insofar as the court declines at this time to alter the language of its order directing the Department to produce certain documents and conduct certain searches; GRANTING <u>107</u> MOTION to Vacate <u>104</u> Notice of Costs to be Taxed on June 28, 2004 filed by United States Department of Justice; GRANTING IN PART AND DENYING IN PART <u>105</u> MOTION to Amend <u>99</u> Memorandum & Order—granting insofar as the court establishes a deadline for the Department's compliance, and denying insofar as the court declines to award costs and attorney's fees at this time. Motions terminated: <u>101</u> , <u>103</u> , <u>107</u> , <u>109</u> , and <u>115</u> .Department to file Brief by 4/17/2005 detailing its arguments. BDX shall then have an additional 30 days from when Department files its brief to file any response; and the Department shall then have an additional 15 days to file any reply. Signed by Judge Robert L Miller Jr on 3/18/05. (smp,) (Entered: 03/21/2005)

04/15/2005	<u>112</u>	BRIEF re <u>111</u> Order, <i>Defendant's Submission of Points and Authorities Regarding Application of 5 U.S.C. 552(b) Exemptions</i> . (Johnson, Clifford) Modified on 4/18/2005 (ksc). (Entered: 04/15/2005)
05/13/2005	113	MOTION to Seal Supplemental Affidavit of LaDonna S. Ralph, Information Technology Specialist by Defendant United States Department of Justice. (ksc) (Entered: 05/13/2005)
05/13/2005	<u>114</u>	NOTICE OF MANUAL FILING of MOTION TO SEAL by United States Department of Justice (Johnson, Clifford) (Entered: 05/13/2005)
05/13/2005	115	ORDER granting 113 Motion to Seal Supplemental Affidavit of LaDonna S. Ralph, Information Technology Specialist. Signed by Judge Christopher A Nuechterlein on 5/13/05. (ksc) (Entered: 05/16/2005)
05/13/2005	116	SEALED SUPPLEMENTAL AFFIDAVIT of LaDonna S. Ralph, Information Technology Specialist, filed by United States Department of Justice. (ksc) (Entered: 05/16/2005)
05/17/2005	<u>117</u>	MOTION for Extension of Time to File Response as to <u>112</u> Defendant's Submission of Points and Authorities Regarding Application of 5 USC 552(b) Exemptions by Plaintiffs BDX Inc, Eugene A LeBoeuf. (smp) (Entered: 05/18/2005)
05/20/2005	<u>118</u>	ORDER granting <u>117</u> Motion for Extension of Time to File Response. Response to be filed by 6/17/2005. Signed by Judge Christopher A Nuechterlein on 5/20/05. (lpw) (Entered: 05/20/2005)
06/16/2005	<u>119</u>	Plaintiffs' Response in Opposition to Defendant's Submission of Points and Authorities Regarding Application of 5 U.S.C. 552(b) Exemptions by BDX Inc, Eugene A LeBoeuf to <u>112</u> Brief (Other) . (LeBoeuf, Bradley) Modified wording of docket text on 6/22/2005 (rmn). (Entered: 06/16/2005)
06/29/2005	<u>120</u>	by United States Department of Justice to <u>119</u> Response/Reply, <i>DEFENDANT'S REPLY IN FURTHER SUPPORT OF ITS SUBMISSION OF POINTS AND AUTHORITIES REGARDING APPLICATION OF 5 USC 552(b) EXEMPTIONS</i> . (Johnson, Clifford) (Entered: 06/29/2005)
11/29/2005	<u>121</u>	MEMORANDUM AND ORDER for Department of Justice to disclose only the total number of Chapter 13 bankruptcy cases that resulted in criminal referrals in the Northern District, re <u>111</u> Order . Signed by Judge Robert L Miller Jr on 11/29/05. (smp) (Entered: 12/02/2005)
01/20/2006	<u>122</u>	ORDER directing Clerk to enter judgment that the defendant must disclose the total number of Chapter 13 bankruptcy referrals that resulted in criminal referrals in the Northern District of Indiana, pursuant to the court's <u>121</u> Order. Signed by Judge Robert L Miller Jr on 1/20/06. (ksc) (Entered: 01/23/2006)
01/23/2006	<u>123</u>	CLERK'S ENTRY OF JUDGMENT. (ksc) (Entered: 01/23/2006)